

## Senate Bill No. 1197

### CHAPTER 519

An act to amend Section 52321 of the Education Code, relating to regional occupational centers and programs.

[Approved by Governor September 28, 2008. Filed with  
Secretary of State September 28, 2008.]

#### LEGISLATIVE COUNSEL'S DIGEST

SB 1197, Alquist. Regional occupational centers: joint powers authorities: funding.

Existing law permits the governing board of any high school district, as specified, the governing board of any joint powers regional occupational center or program (ROC/P), or the county superintendent of schools that conducts any county-operated ROC/P, to establish and maintain, in connection with any high school or ROC/P under its or his or her jurisdiction, cooperative career technical education programs or community classrooms as part of a career technical education course in accordance with rules and regulations prescribed by the Superintendent of Public Instruction.

Existing law requires that an ROC/P established and maintained by school districts or joint powers agencies pursuant to a joint powers agreement receive in annual operating funds an amount per unit of average daily attendance equal to the revenue limit received by participating school districts, as specified, from each of the participating school districts.

This bill, commencing in the 2009–10 fiscal year, would require that an ROC/P established and maintained by school districts or joint powers agencies pursuant to a joint powers agreement receive in annual operating funds an amount per unit of average daily attendance equal to the revenue limit received by each of the participating school districts, as specified, directly from the county office of education in which it is located.

*The people of the State of California do enact as follows:*

SECTION 1. Section 52321 of the Education Code is amended to read:

52321. (a) (1) Commencing in the 2009–10 fiscal year, a regional occupational center or program established and maintained by school districts or joint powers agencies pursuant to Section 52301 shall receive in annual operating funds directly from the county office of education in which it is located an amount per unit of average daily attendance equal to the revenue limit received by each of the participating school districts for each unit of average daily attendance generated in the regional occupational center or program by each participating school district.

(2) A regional occupational center or program established and maintained by a county superintendent of schools pursuant to Section 52301 shall receive funding pursuant to Section 2550. A county superintendent of schools shall report average daily attendance to the Superintendent for that funding.

(b) A regional occupational center or program may budget and accumulate an amount necessary to meet the cashflow needs of the regional occupational center or program known as a general reserve, and also may budget and accumulate amounts known as the designated fund balance and as the unappropriated fund balance. Alternatively, a regional occupational center or program may budget and accumulate amounts necessary to meet its long-term program needs in a separate account known as the capital outlay and equipment replacement reserve account, and this account shall be part of the designated fund balance. At the end of each school year, the ending balance in the regional occupational center or program account may be distributed to any of the general reserve, designated fund balance, and unappropriated fund balance accounts, provided that the combined total distributed does not exceed 15 percent of the expenditures for the current school year.

(1) The general reserve, the designated fund balance, including the capital outlay and equipment replacement reserve account, and the unappropriated fund balance shall be available for appropriation only after approval by a majority vote of the governing body of the regional occupational center or program.

(2) Funds of a regional occupational center or program shall be distributed to the capital outlay and equipment replacement reserve account only upon adoption by the governing board of a resolution specifying the general use to which each appropriation from the account would be put.

(c) (1) At the end of each school year, the combined ending balances of the general reserve, the designated fund balance, except the capital outlay and equipment replacement reserve account, and the unappropriated fund balance shall not exceed 15 percent of the expenditures for the current fiscal year.

(2) A regional occupational center or program may accumulate, over a period of two or more school years, an ending balance in the capital outlay and equipment replacement reserve account of more than 15 percent of the expenditures for the current fiscal year, under provisions of a resolution of the governing board pursuant to paragraph (2) of subdivision (b).

(d) Funds placed in either the general reserve, the designated fund balance, including the capital outlay and equipment replacement reserve account, or the unappropriated fund balance shall be expended only for regional occupational center or program educational purposes.

(e) Commencing in the 2007–08 fiscal year, the Superintendent shall require an annual certification by school districts, county superintendents of schools, and joint powers agencies that the regional occupational center or program funds have been expended as provided in this section. The Superintendent shall withhold from the apportionment of a subsequent fiscal year, any ending fund balance in excess of 15 percent of the expenditures

for the year, except those funds specifically set aside by the governing board in the capital outlay and equipment replacement reserve account.

O